

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHRISTOPHER FRANKE, individually  
and on behalf of others  
similarly situated,

Plaintiff,

v.

FINANCIAL LEAD SERVICES LLC, *et al.*,

Defendants.

---

CASE NO. 1:12-CV-1374

HON. ROBERT J. JONKER

**ORDER**

On December 10, 2014, the Court approved preliminarily the parties' proposed settlement of this class action under FED. R. CIV. P. 23 and proposed form of class notice (docket ## 115, 116). A Fairness Hearing took place on May 22, 2015. Before the hearing, the parties timely filed proof of service of notice of the proposed settlement to the class members. The record reflects that the Class Administrator carried out a comprehensive notice program, sending approximately 8,000 notices. (docket # 121-5.) The Postal Service returned approximately 300 notices as undeliverable. (*Id.*) For the reasons the Court stated at the Fairness Hearing, the Court finds that further efforts to mail checks to the approximately 300 individuals who could not be located is not warranted.

Only one class member opted out of the proposed settlement. No objections to the proposed settlement or award of attorney fees and costs have been filed, and no such objections were raised at the Fairness Hearing. Based on its review of the record, and for the reasons stated in detail in the Opinion preliminarily approving the proposed settlement (docket # 115) and on the record in open

court during the Fairness Hearing, the Court concludes that the Class Settlement is fair, reasonable, and adequate in all respects, and the Court further concludes that the requested award of attorney fees and costs is reasonable and appropriate. FED. R. CIV. P. 23(e).

**ACCORDINGLY, IT IS ORDERED:**

1. The Class Administrator is authorized not to send settlement checks to the approximately 300 individuals who could not be located for service of the notice of settlement.
2. The motion for settlement of class action (docket # 122) is **GRANTED**. The proposed Class Settlement is **APPROVED**.
3. The motion for attorney fees, costs and expenses of litigation, and class administration costs (docket # 121) is **GRANTED**.
4. Plaintiff's counsel may submit to the Court any request for payment of reasonable costs incurred after the approval of the Class Settlement and involved in implementing the settlement.

Dated: May 27, 2015

/s/ Robert J. Jonker  
ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE